COUNCIL BLUFFS DEPARTMENT

MINOR MENTION.

Ed Wood and wife are visiting in Chad-W. W. Walker was fined for intoxication.

Five transfers of real estate were filed for record yesterday; consideration, \$6,735. Andrew, the 6-year-old son of Nels Chris tensen, died at \$:30 o'clock yesterday more-

The funeral of the late Mrs. H. M. Goss will be held this afternoon from Trinity Miss Nora Ryan entertained the Hamilton

Whist club yesterday afternoon in the Brown

The Juvenile McKinley and Hobart club will meet at the republican headquarters this evening at 7:30.

There will be a union prayer meeting at the residence of C. S. Lawson, 1704 Fourth venue, this evening.

Mrs. R. O. Wells and son, Rexford, of St. Louis, are the guests of Mr. and Mrs. Hattenhauer of Seventh avenue.

Mrs. R. O. Wells and son, Rexford, of St. Louis, are guests of Mr. and Mrs. H. F. Hattenhauer of Seventh avenue. Dr. V. L. Treynor left last evening for Marshalltown, where he reads a paper before the State Society of Railway Surgeons.

The members of the Rebekah lodge are invited to attend the funeral of the daughter of our brother and sister, Wycoff, Thursday afternoon, from the Trinity Methodist copal church at 2:30. A. W. Turner and son, who was arrested r stealing \$15 worth of potatoes from T. Svans, had a hearing in Justice Vien's ourt resterday. A little of the evidence

was taken and the case was continued for thirty days. The police yesterday received the requisition papers from Governor Drake for the return of John Heidlik, who is being held at Lincoln. Heidlik is the man who rebted Dan Carring and absecuded in Monday morn-

seph. He was dicharged for want of evi-dence, but it was evident to the court that termined to make some more trouble for

with the young man at his peril. that the case be continued for thirty days, and intimated that he would settle it in the

A telegram from St. Louis vesterday aunounced the death of Charles Keith at his home in St. Louis, during the early mornhouse in St. Louis, during the early morn-home in St. Louis, during the early morn-ing. Mr. Keith was for years connected with the burlington railway management in this city. He left here ten years ago, and this city. He left here ten years ago, and this city. He left here ten years ago, and that climbed up.

Another discovery was made by the police has since been engaged in railway work in St. Louis. He has been ill for some time, but his friends did not fest a fatal termina-

C. B. Viavi Co., female remedy. Medical consultation free Wednesdays. Health book furnished. 309 Merriam block.

Whether the election of either of the candidates will affect business locally or not is hard to say, but one thing is sure, business on the rallroads has picked up greatly. During the past few weeks all the roads have been short on cars to move the immense crops of grain. Trade is also picking up in retail circles. Hughes, the men's outfitter, at 415 Broadway, reports his trade outlitter, at 415 Broadway, reports his trade almost double since he removed from Main street. Of course the people appreciate a good thing. Hughes is probably getting more them in letting him go than his share. He undoubtedly has the nicest line of hats, neckwar, shoes, underwear and men's furnishings in the city, and his prices are always a little lower than else-

District Court Notes. The Co-operative Bank of Iowa was given a judgment and decree of foreclosure agricst. Eugene Mottaz and wife for \$1.721.

Suit on a \$500 mortgage was begun by the Savings, Loan and Building association against the estate of John Donany. The Ioan was made December 74, 1892. the suit of D. D. Valier against Themas Valler, asking for the partition of the estate of Alexander Valler, an order was en-

tered to sell the property and divide the proceeds among the heirs.

Judgment for \$23 by stipulation was entered in favor of Day & Hess against Wilson Densen

Milton, Rogers & Sons were granted a judgment for \$1.18 against D. J. Donohue on an account for goods furnished. In the suit of John J. Walz against John G. Barrett, judgment and a decree of fore-

closure for \$3,412 was entered.

Discount Your water bills now and save 5 per cent. Office open Saturday evening.

Hoffmayer's fancy patent flour makes the best and most bread. Ask your grocer for it.

High School to Play Woodbine. A game of foot ball will be played between the Woodbine Normal school and Council Bluffs High School teams next Saturday, in Field Club park. The Council Bluffs boys will line up in the following or-Bluffs boys will line up in the following or-der: Left end, Hutchinson; left tackle, An-derson; left guard, Beardsley; center, Mus-ner; right guard, Leach; right tackle, Dates-man; right end, H. Pardy; quarter-back, Robert Dailey; right half, W. Pardy; left half, Flammant; full back, Stewart. The substitutes will be Knox, Mather and War-ren Dailey. The game will be called at R. D. m.

SIMPLE AT FIRST

It is Foolish to Neglect Any Form of Piles, Cure Them at the Beginning. Pites are simple in the beginning and easily cured. They can be cured even in the worst stages, without pain or loss of blood, quickly, surely and completely. There is only one remedy that will do it—Pyramid

allays the inflammation immediately, heals the irritated surface and with con-tinued treatment reduces the swelling and puts the membranes into good, sound, healthy condition. The cure is thorough and permanent.

Here are some voluntary and unsolicited testimonials we have lately received:
Mrs. M. C. Hinkly, 601 Mississippi St. Indianapolis, Ind., says: Have been a suf-ferer from the pain and annoyance of Piles for fifteen years, the Pyramid Pile Cure and Pyramid Pilis gave me immediate relief and

in a short time a complete cure. Major Dean of Columbus, O. says: I wish to add to the number of certificates as to the benefits derived from the Pyramid Pile Cure. I suffered from piles for forty years and from itching piles for twenty years and two boxes of the Pyramid Pile Cure have effectually cured me.

Most druggists sell Pyramid Pile Cure or will get it for you if you ask them to. It is one dollar per package and is put up only by the Pyramid Drug Co., Albion, Mich.

SHOWS SOME FOOT PRINTS that his mother spoke something about sup-

Close Investigation in the Axe Murder Case Develops Nothing.

CORONER'S INQUEST HELD YESTERDAY

Jury Finds that Murder Was Done by Some Unknown Person and Recommends the Release of Tom Harnett.

No definite clew has been obtained by the police that in anyway tends to unravel the mystery surrounding the murder of Mrs. spot on Thirty seventh street Tuesday mornin getting started on the case because of the mistaken cause of what means had been used by the murderer in disposing of his victim. When it was learned that she had not been shot, but was deaten to death with a blunt instrument, a thorough search of A marriage license was issued yesterday to Maxwell Goldsmith, aged 22, of Omaha, and Anna L. Hayes, Council Bluffs, aged was again renewed yesterday morning by the officers and a slight clew discovered. The members of the McKinley Guard and About 200 feet from the place where the Drum corps will meet for drill promptly at body was found is the home of Herman 7 o'clock this evening at the armory, Else-Schneiderelt. Just across Avenue C. In Schneiderelt. Just geross Avenue C. in front of the cottage, is a potato patch. soil here is soft and damp. In looking about for the instrument with which the murder might have been committed the offi cers came across distinct tracks. They were plainly made by right and left shoes, far apart, as if the person wearing them was on the run.

FIT THE SHOES.

There are also shoe prints of a woman's foot. These are in such a relative position to the others that they evidently were made at the same time and while going along together. No one has been across this po-tate patch for a long time, according to the statement of Mrs. Schneidereit. The police Mrs. J. C. Morton fell down a stairway at her home, at 628 South Fourth street, Tursday night and broke her arm. She got up in the dark to get some water for one of her little daughters, who are just recovering to the control of th yesterday morning took T. D. Harnett's shoes and compared them to the imprints day night and broke her arm. She got up in the dark to get some water for one of her little daughters, who are just recovering from typhold fever. She also received a number of severe bruises.

Toney Wehrer had a hearing in Justice Vien's court yesterday afternoon upon the charge of assault preferred by Charles Justice play. The was dicharged for want of eviluation of the charge of assault preferred by Charles Justice play. The profession of the charge of assault preferred by Charles Justice play. The profession of the charge of assault preferred by Charles Justice play. The profession of the charge of assault preferred by Charles Justice play. The profession of the charge of assault preferred by Charles Justice play the charge of the seph. He was dicharged for want of evi-dence, but it was evident to the court that the Italian with the German name was de-body was found, and would be the natural termined to make some more trouble for course for one desiring to get toward Omaha Jasseph, and he was told not to interfere and who wanted to avoid going down with the young man at his peril.

Bill Lewis, a former well known city backman, has been arrested for seduction and east for a little ways, when the parties must cill have a hearing in Justice Vien's court have slipped through the fence and skirted will have a hearing in Justice Vien's court have slipped through the fence and skirted on November 6. Lewis is living on a piece of land which he has pre-empted on the island south of Manhattan beach. E. S. Richebaugh, an old soldier, is the complainant and his 16-year-old daughter Katherine is the victim. The father of the girl asked that the right of way and the fields on either side. Down along the bottom of the fill, which is askes, were found tracks of the man's shoe. The absence of tracks of the man's shoe. The absence of the woman's tracks may be accounted for by the fact that she walked alongside of by the fact that she walked alongside of her companion on the grass. Along the fence where the tracks were seen is a cow path and the soil is damp, permitting of a good impression of a shoe sole. Here the

Louis. He has been ill for some time.

t his friends did not fear a fatal terminam. J. J. Keith, his son, was called from
s home here in time to be present when and north was found a small patch of blood on the grars. It appeared as if someone had wiped his hands or some instrument there. It was also suggested that the first blow might have been dealt there and the work finished where the body was found. There is no doubt but that the woman was repeatedly struck, as if to make sure that

he was dead. While the local police insist in connecting Harnett with the crime they were com-pelled to let him go at the suggestion of the coroner, who did not think the evidence sufficient to warrant holding him any longer. The fact of another woman being in the case has added mystery to the matthem in letting him go.

AT THE CORONER'S INQUEST. The coroner's jury convened at 2 o'clock and the routine of holding an inquest was performed. L. Duniap and W. M. Burke, employes at the water works pumping sta-tion testified to the finding of the body in the early morning. They described the location and narrated the incidents connected with the circumstances surrounding the au-

Dr. J. H. Cleaver, who assisted Coroner Jennings in conducting the autopsy, described the wounds. There were six of them, and several were of a character that would have proved fatal. Above and back of the right ear was a severe wound, which had fractured the skull and driven pieces of the bone into the substance of the brain. Another would over the left temple had broken the skull, but had not drives any of the fragments of the bone into the brain tissue. The wounds had clearly be a made by some blunt instrument, with a small surface like the back of a bammer or the end of the barrel or the hammer of a revolver. They were

not include and could not have been made by Chief of Police Canning described the con-Mr. McPherson has charge of the floral dition in which the body was found when decorations at the Broadway church for this evening. Don't fail to hear the grand contert, as it will be the opening event of the about 100 feet north of Avenue C. It lay face downward and in a great pool of blood on the embankment thrown up to protect the water works main leading to the reservoirs. There was a rank growth of weeds all around the place, and none of these weeds were broken down which indicated that there had been no struggle. There were no wagon tracks to show that she had been hauled there and thrown out. He was confident that she must have been killed where found for the reason that there was a very large for the reason that there was a very large quantity of blood on the ground. The woman's face was almost buried in it. She had bled so freely that if she had been moved after she had been killed traces of blood must have been left on the grass when

she was being moved.

Nellie Miller, the woman who roomed with Mrs. Axe in Omaha, told without hesitancy all she knew of the case, which was precious little. She last saw Mrs. Axe alive on Mon-day evening at supper time, between 7 and 8 o'clock. The dead woman, her son and the witness are together and appeared to be on the best of terms. There never appeared to be any trouble between them. Mrs. Axe appeared to be unusually pleasant that day. The witness knew of no person with whom Mrs. Axe ever had trouble. The witness left the house after supper. she was leaving Mrs. Axe and her son were earrying in plants from the front porch The witness remained out until 11 p'clock When she returned she entered the by the back door and did not know until the next day that she was the only person in the house that night. The first knowledge she had of the murder was when Cap-tain Hayes, of the Omaha police force, called at her room in company with the son at o'clock. She had no idea when Mrs. Ax left the house, or with whom she left. Mrs. Axe was not in the habit of going out alone, but the woman admitted that she had lived at the place only a week, and knew little of the habits of the head of the family. There had been no callers during the day At supper she heard the son say he was going to see Dr. Cappel to be treated for catarrh, and she heard him tell his mother that Dr. Cappel said he was coming down that evening to see her, and that the mother remarked that she was glad of it, that she wanted to see him. Cappel was their family physican both in Coursel Mingrand Cappel.

physician both in Council Bluffs and Omaha TESTIMONY OF TOM HARNETT. T. D. Harnett, the sen of the dead woman was put through a long and careful examina-tion. He said he came to supper at 7:39; Main street.

per being late and that she was going out that evening. He had helped her carry in some of the plants. Dr. Cappel had said to him at 5 o'clock that he wanted to see Mrs. Axe, and would call upon her on his way to whom his mother was intimately acquainted excepting Charles Renaud, a soldler, of whom she professed to be very fond, and was engaged to marry as soon as his term of service was over. Renaud had been sent away with the regiment two months ago, and was still been married a number of times, and that he believed that the husband whose name she bore was still living somewhere in Iowa. They had been separated a couple of times and made it up again. The last and final separation was eleven years ago. The wit-ness said his mother was at home when he left the house on Monday evening. He during the remainder of the night. He went store, 1711 St. Mary's avenue, and was there ing. Considerable valuable time was lost with slight intermissions until 3 o'clock in getting started on the case because of the During one of these intermissions he left the place with Jimmy Hoagland and was gone an hour. He went to Tenth and Douglas street, and had a drink and then went to Ninth and Douglas, where he met Cliff Hough and Dick Landon of Council Bluffs. was at Emil Gall's saloon. They re the place of the murder was made. This | turned to Sampson's visiting several places on the way. After leaving the place at 3 o'clock, he walked around the streets with Hogan and McKeena until daylight, and then gave in their order the names of places he had visited during the remainder the time until he was taken into custody by the Omaha officer. When asked to think if he could not recall some one who had frequently called upon his mother and with whom she might have had trouble, he said a man named Cahill, a blacksmith, a short stout, heavy built fellow, had given her some trouble on account of his enforced attentions and had frequently intercepted her on the streets; that she had complained to Captain King, and the man had not troubled her since. She went out riding with a woman sometimes, but he did not know who she was. The only person whom he knew to have entertained hard feelings toward his mother was a Mrs. Miller, who used to do dressmaking on North Thirteenth street, Omaha. Mrs. Miller used to keep company with Renaud before Mrs. Axe met him, and he had heard his mother say that the Miller woman hated her because she had taken her lover away. An old man named Allen, who works in one of the express

stables on Howard street, also knew his JURY VERDICT EASILY REACHED. This completed the testimony and the room was cleared for the jury to consider its verdict. It required but little consideration to come to the conclusion that there was Aothing to show who had committed the deed. The jury found it to be a case of murder, committed with a blunt instrument

in the hands of unknown parties. Mrs. Axe has been quite well known in Pottawattamie county for ten or twelve years. She came to Walnut, Ia., a few months after she was married to Axe, twelve years ago. She was then a very pretty woman, and wielded a strong influence and fascination over men. Before her marriage she was a circus celebrity of some note, a daring equestrienne and a trapeze artist. After leaving the circus she was connected with several variety companies, and while traveling met and married Harnett, and lived with him until his death. At Walnut the woman had several escapades with men. and made them plenty of trouble. Her has band denied his marriage to her, and she made him acknowledge it before a notary, and had the notice posted on the street in a conspicuous place. They left Walnut and went to Atlantic, where she had several other experiences of a sensational character.

SEVEN THOUSAND FOR DR. HOOD Wins His Damage Suit Against the

Northwestern Railroad Company. After being out twenty-eight hours the jury in the case of Dr. O. C. Hood against the Northwestern Railroad company gave the plaintiff a verdict for \$7,000 damages. The suit was for \$40,000, on the grounds of a permanent injury to the spine, received in wreck near Elmhurst, Ill., August 30, 1889, motion for a new trial and for the seting aside of the verdict was at once filed the attorneys for the defendant. The jury was given the case a little while efore noon Tuesday. After noon yesterday the jury asked for some explanations about the instructions. The matter was argued for some time by both attorneys for the plaintin and the defendant. Shortly after o'clock the jury announced that it was ready report and gave its finding as stated. Sixteen days were taken for the trial, the defense introducing a host of witnesses to show that the doctor had not been hurt, and also to impeach his testimony. These were brought from Independence, Kan., Ciroll, Ia., and Perry, Okl. The case was first tried here four years ago. The railroad company was given a verdict, but the plaintiff had

in the admission of certain testimeny. Owing to the large number of tickets which have been sold for the grand concert at the Broadway church tonight it will be necessary for those desiring to attend to go

it reversed in the supreme court on an error

Discount Your water bills now and save 5 per cent. Office open Saturday evening.

Methodist Women Choose Officers. At the annual meeting of the Woman's Foreign Missionary society, held in the parlors of the First Methodist church, the officers for the ensuing year were elected. They were: President, Mrs. J. H. Arthur; vice president, Mrs. J. E. Senseney; corresponding secretary, Mrs. Fred Orcutt; re-cording secretary, Mrs. F. C. Lougee; treas-urer, Mrs. C. E. Hoover.

At a business meeting of the Ladies' Aid society, held yesterday afternoon, at the parlors of the Broadway Methodist church, officers for the ensuing year were elected as follows: President. Mrs. J. Ballinger; vice president, Mrs. R. J. MacBride; second vice president, Mrs. George G. Baird; secretary, Mrs. C. M. Harl; treasurer, Mrs. Nettle

The concert at the Broadway church this vening promises to be the social event of

Sideboards, the finest in town, and of course at the Durfee Furniture company's.

Law Students Successfully Pass. Clyde B. Aitchison, who has been a student in Finley Burke's law office for a couple of years, has just completed his examination for admission to the bar. A telegram from Des Moines last night stated that he stood second in a class of thirty-three, with an average of 95 per cent. McVeigh, a Yale graduate, stood first. Mr. Altaison's friends and his tutor are very much pleased ith the fine showing he has made. Johnson, who has been studying law in the office of Colonel Dalley, also passed a very creditable examination, and was admitted to

When your bundle comes home from the Eagle laundry you know it will be right. You get what you want at the "Eagle," 724 Broadway, Telephone 157. For Rent-Three unfurnished rooms. Mrs.

M. A. McGee, 420 Third street.

Disorderly House Raided. Chief of Police Canning with a squad of officers swooped down on a disorderly house at the corner of Sixteenth and Avenue A about 6 o'clock last evening and arrested two colored women and three white men-They were booked under the charge of fie-quenting a house of ill repute. The men were J. Collins, John Grant and Frank Kane. The women gave their names as Haller Morris and Cora Reed. Since the order went into effect to move all the residents of the Pierce street burnt district, the inmates have scattered all over the wester:

Discount Your water bills now and save 5 per cent. Office open Saturday evening. Sewer Pipe, Fire Brick, Belting. Wholesale and retail. J. C. Bixby, 292

SUPREME COURT SYLLABI. City of Omaha against Richards. Error from Douglas county. Affirmed. Opinion by Judge Norval.

Held that the city is liable for the death of a boy 10 years old by drowning, caused by falling from a section of wooden sidewalk which he was using as a raft upon a pond of water within the corporate limits a part thereof being in a public street and part upon private property, it being shown that such accumulation of water was occasioned by the negligence of the city in grading said street and constructing a

grading said street and constructing a storm sewer therein.

2. Whether the deceased was quistry of contributory negligence was a question of fact to be determined by the jury from the evidence adduced.

3. An exception "to the giving of the structions 3. 4, 5, 6, 7, 8 and 9, contained in the general charge of the court, and to the giving of each said instructions" is a separate and specific exception to each of said paragraphs of the charge and is therefore sufficient.

4. Brooks against Dutcher, 22 Neb., 64, and Walker against Turner, 27 Neb., 163, insofar as they state a contrary doctrine overruled.

5. The assignment in the motion for a

The assignment in the motion for a w trial relating to the giving of instru-

tions held sufficient.

6. The third and sixth paragraphs of the charge set out in the opinion correctly state the rule as to the liability of a city to keep its streets in safe condition for the use of the public and are applicable to the case made by the pleadings and evidence of the case made by the pleadings and evidence. ence.
7. A party cannot complain of an in-truction in harmony with one requested

by him.

8. An assignment in a petition in error that the court erred in admitting testimony is too indefinite.

9. A verdict for \$2,550 held not excessive.

Boatright against Enewold. Error from Douglas county. Motion to dismiss error proceedings sustained. Opinion by Commissioner Ryan.

Evidence examined and held to fail to show that the satisfaction of the judgment complained of was procured by duress.

Kountze against Scott. Error from Gage county. Reversed and remanded. Opin-ion by Commissioner Ryan. A debtor who had transferred all his in A debtor who had transferred all his in-terest in property subsequently attached to one who is not a party to the attachment sult cannot, in his own name and right, be permitted, on motion for a dissolution of the attachment, to establish the validity of his transfer.

of his transfer.

Hall County against Smith. Error from Hall county. Petition in error dismissed. Opinion by Commissioner Ragan.

To obtain a review of a case in this court there must be a final error or judgment on the merits of the action in the court below.

Schields against Horbach. Error from Dauglas county. Affirmed. Opinion by Schleids against Affirmed, Opinion by Douglas county, Affirmed, Opinion by Commissioner Ragan.

Conveyances of real estate executed within this state conveying real estate situate within this state are required to be witnessed. Section 1, chapter 73, Com-

within this state conveying real estate situate within this state are required to be witnessed. Section 1, chapter 73, Compiled Statutes.

2. A deed for lands situate in this state executed in the state of Kansas and acknowledged there before a notary public who attached his official scal to the cerificate of acknowledgment is presumed to have been executed in accordance with the laws of the state of Kansas; and though not witnessed is entitled to be recorded and read in evidence in this state without other proof that the grantors therein actually executed and delivered the deed.

3. A tenant by simply "holding over" after the expiration of his lease does not hold adversely; until he surrenders possession of the leased premises or by some unequivocal act notifies the landlord that he no longer holds under the lease he cannot claim that his possession is adverse.

4. A court is not obliged to sithmit to a jury for its consideration evidence not applicable to any issue made by the pleadings in the case.

5. Where a tenant in possession orally con-

in the case.

5. Where a tenant in possession orally con

5. Where a tenant in possession orally con

racts for the purchase of the leased premises his subsequent possession will be presumed to be under the lease unless it be clearly shown that he holds under the contract of purchase. Bigler against Baker 40 Neb., 325.

tract of purchase. Bigler against Baker, 40 Neb., 325.

6. Prior to the enactment of the homestead law of 1877 the fallure of the wife to join in a conveyance of the homestead, the title to the same being in the hurband, did not render such conveyances void.

Yankton, N. & S. W. R. Co. against Smith. Error from Knox county Affirmed. Opinion by Commissioner Ragam.

A bill of exceptions must be certified by the clerk of the trial court as being a part of the record in said court, or as being the original bill of exceptions in the case, in order that the matters therein may be considered by this court. Wax against State, 43 Neb., 18.

2. In order to review the question of taxa-

2. In order to review the question of taxa-

2. In order to review the question of taxation of costs a motion to retax must be made in the trial court and a ruling obtained thereon by that court. Real against Honey, 59 Neb, 518.

3. Objections to the form and terms of a verdict should be made in the court below at the time of its rendition in order to be available on error to this court. Roggen-kamp against Hargreaves, 39 Neb, 540.

Butler against Greene. Error from Nemaha county. Affirmed. Opinion by Commissioner Irvine.

The pledges of chattels to secure the payment of a debt is a ballee and not the owner of the property, and he is responsible as ballee after as well as before the maturity of the debt. of the debt.

2. A defendant against whom judgment has been rendered cannot complain because the court instructed the jury to deduct from the damages recoverable by plaintiff the amount of a setoff not pleaded by defendant.

nt.
3. A special contract of bailment prevails a determining the liabilities of the parties, against general principles of law applicale in the absence of express agreement 4. A bailee who contracts to keep the propriy in a particular place is not discharged of m damages resulting from his failure of do so because he was compelled to relove it by the owner of the place designated.

ated.

5. A party to an arbitration may revoke he submission before an award is made, and where the submission provides for a written award a revocation may be made fter the arbitrators have individually communicated to strangers their respective lews, but before they have signed any ward.

award.

Nye & Schneider against Tahrenholz. Appeal from Stanton county. Opinion by Commissioner Irvine.

A purchaser at a judicial sale is charged with notice of the proceedings leading to the sale, including the appraisement.

2. Appraisers in judicial sales act judicially, and the parties, including the purchaser, are in collateral proceedings bound by the appraisement.

the appraisement.
Where a lien junior to that foreclose 3. Where a lien junior to that foreclosed was erroneously by the appraisers treated as a senior lien and its amount deducted from the value of the property in making the appraisement, the purchaser bidding only two-thirds of the appraised value after deducting such lien, and the holder of such junior lien not being a party to the suit, such purchaser cannot be heard, in a subsequent suit to foreclose such lien, to say that it was junior to that under which he bought.

bought.
4. In such a suit the holder of what was the junior lien is entitled to a decree of foreclosure, and is not compelled to redeem.
5. In such case the former owner of the equity, who is personally liable for both debts, has such an interest that he may insist upon the subjection of the property to the payment of the lien.

BLOODTHIRSTY REVENGE OF A BOY

Mrs. Gnumley Killed with Stove Leg for Putting Him Out of House. ST. JOSEPH, Mo., Oct. 7.—The murders of Mrs. John Baumley of Arkoe, Mo., has been captured and he is none other than the 16-year-old boy, Ezra Rasso, who was alleged to have made the discovery of the murder last Friday afternoon. The mur derer is a son of Henry Rasco, who resides on an adjoining farm to Baumley. Young Rasco says he went to the Baumley home to get a pail of water and entered the He made some remarks that angered Mrs Baumley. She then forced him out of the house and locked the doors. Rasco says he was greatly angered at this and picked up a stone and hurled it through the kitchen window at Mrs. Baumley. The missile window at Mrs. Baumley. The missile struck her in the face and knocked her down. Mrs. Baumley then grabbed up the baby and ran upstairs. Rasco says he made search of the house for Mrs. Baumley and when he found her, he was armed with a stove leg, with which he attacked her. She was knocked down several three-batters and knocked down several times, but arose an defended herself desperately, retreating from the room in an effort to make her escap from the house. This, Rasco says, he pre-vented, and finally getting her on the first floor, he finished the bloody work with the same stove leg, by crushing out her brains He then left the house, went home, changed his clothes, hid the bloody garments and gave the alarm of murder. The murderer says he had no object in killing Mrs. Baum-ley, other than to be revenged for being put out of the house. The jail is closely guarded tonight to prevent lyuching by a mob, re-ported to have formed at Arkoe. At midnight there had been no outbreak

Buffalo Beats Bradford. BRADFORD, Pa., Oct. 2.- Foot bail; University of Buffalo, 18; Bradford, 6 WILLIAMSTOWN, Mass., Oct. 7.—Foot ball: Williams, 6; Wesleyan, 9. TELEGRAHPIC BREVITIES.

Treasury cash balance is \$20,529,513, and he gold reserve is \$125,690,685. Bishop W. D. Walker of North Dakota has seen elected bishop of the Eniscopal dis-esc of western New York. Eight armed men approached the Resur-ection films at Leadville and opened firm in the guards. Firing continued twenty attracts Vice President Stevenson delivered an address to the grand lodge of Masons of Illinois, reviewing the scope and achievements of the order.

The Sonora stage was held up near Cloudman, Cal., and two masked robbers citied the mail pouches and express box. A posse is in pursuit.

A posse is in pursuit.

The treasury gold reserve is \$125.195.632.

Yesterday's withdrawais were \$125.200 in coin and \$5.50 in bars; \$16.000 was deposited in the New York subtreasury.

Ohlo bankers met at Dayton, O. President C. E. Nies of Findlay upheld the gold standard and commended the administrations of Harrison and Cleveland.

S. F. Lynn has been reconsidered to be a control of the contr

S. F. Lynn has been appointed received of the Albany woolen mills at Albany, Ore Assets, \$160,000; liabilities, \$120,000; cause failure of Moyer & Co. of Portland last Sat-

Bishop Thomas Becker of Georgia is spoken of as a likely man to be made rector of the Catholic university. He is regarded as one of the most scholarly men in the church. Mrs. Baumle's murderer has been cap-ured and confessed. He gives his name as Erra Rosco. The people of Arkoc, Mo., there the crime was committed, are talk-

ing of a lynching.

President John Mill of the Mercantile
Trust and Deposit company corroborates
the statement that Thomas F. Ryan has
purchased a majority of the stock of the
Seaboard & Roanoke.

John Krody, a New York dealer in bed-steads, bleyeles and curtain poles, has as-signed to Frederick Schwanhausser. The sheriff is in charge of the stock under five executions for \$22,000. William Jay Koerner, a newspaper artist formerly of Pittsburg, is held without ball by a New York coroner's jury for the mur-der of Rosie A. Redgate, whom he shot on the street September 23.

the street September 23.

Harry Smith, the base ball catcher of the Buffalo team, has telegraphed his father in Massillon, O., that he was married Saturday morning to Miss Rosa Russ, with whom he cloped a few days ago. Nonunion men, imported by the Canadian Pacific to fill the places of the striking felegraphers, are easily persuaded to join the strikers. Elevators are filling up and

the tie-up cannot last much longer, A. W. V. Fawcett acting mayor of Tacoma, Wash., since April, vacated the offic vesterday, the supreme court having decided that E. S. Orr is entitled to be seated and for the case. Chief Justice Springer of the Indian Territory court of appeals holds that any person who discovers coal in the Choctaw nation is entitled to all the coal beneath the surface within a mile radius from his works Bishop Henry T. Bachmann of the Moravian church died Monday night at the parsonage of the Moravian church at Grace Hill, Ia., aged 62 years. He has spent much of his life in foreign mission fields.

Prince Michael Khilkoff, Russian minister of ways and communications, landed at San Francisco from steamer Belgic. He left Russia six months ago and will inspect American railroads as the guest of C. F.

Senator Blackburn, it is rumored, may challenge Logan Carlisle to fight a duel for declaring it would be more of an honor to debate silver with a Legro than with Blackburn. Senator Blackburn left Washngton Saturday and has not been heard

September 18 three vessels were lost, viz. Schooner Rebecca, German barkenting Helena and schooner Cometa. Information is meager, but it is believed they were beached by the tidal wave and that the crews escaped.

crews escaped.

Otto Anderson, paying teller of the Little Rock Savings Bank and Trust company, and Ora Houdette, aged 20, were found unconscious on the porch of a school building in Little Rock, Ark., having taken oplum that they might die together. Miss Houdette may recover.

Immigration Commissioner Hermann Stumpf is on his way to Rome to consult with the Italian home secretary regarding Italian emigration to the United States. He will also appear before the Italian Parliament to explain the workings of the American Immigration laws.

The story of W. M. Castle's arrest in

but is reported to have been arrested for stealing furs. Populist National Committeeman G. W. B. Hale of Virginia has written an open letter to Tom Watson, calling upon him to withdraw from the ticket, and declaring his preference for Arthur Sewall on account of his availability and his conscientious support of free coinage of silver. William Strauss of New York counsel.

William Strauss of New York, counsel or William Mowry, who represents the original first mortgage holders of the Green Bay, Winona & St. Paul, has made com-plaint in the United States court at Mil-waukee against the conduct of the Farm-ers' Loan and Trust company as trustee. Foreign.

George du Maurier is still critically ill George du Maurier is still critically in in London.

Victor de Lesseps, a son of late Count de Lesseps, is believed to have committed suicide. It was at first supposed his injuries were received in a fall.

Fire at Guayaquil, Ecuador, has destroyed fifteen squares of that town, including four banks, all the foreign consulates and all the hotels except one.

Fierce gales have done much damage t shipping along the south coast of England The German steamer Lahn reports very severe weather in the English channel

Governor Matthews declares that Bryan will carry Indiana by a "tremendous" ma-jority. He thinks filinois will be for Bryan and that Ohio is doubtful. Mark Hanna passed through Canton last evening and was a guest for dinner at the McKinley home. He speaks in the most sanguine terms of the result of the elec-Indiana populists have decided not to withdraw their state ticket. Arnold J. Pad-gett, candidate for appellate judge in the First district, has declined to accept the population.

Colorado McKiniey republicans will not have their candidates' names on the ballot unless the decision given against them yes-terday by Secretary of State McGaffery is reversed by the supreme court. Speaker Reed writes to Chairman Bab-cock that 'the country being rather large and I being only one, it is impossible to comply with 10 per cent of the requests that are made' for him to make campaign speeches.

Kentucky registration of voters is un-usually large and the republicans profess

usually large and the republicans profess to be greatly encouraged. According to the face of the registration returns the repub-lican gains in November will amount to over 50,000.

"Maryland will go for McKinley by a large majority," says Senator-elect Wellington, who says he has received reliable reports of a complete and detailed character from every election district in the state during the past few days.

NOW PROULT TAKES THE LEAD. Omaha Rider Santches Two Laps from

Lawson and Hall. A much larger crowd was in

Riders. Star Pointer Wins the Free-for-All. LEXINGTON, Oct. 7 Seven thousand seeple attended the races today and the

rogram and they were all contested a he unishes close and exciting. The tra-as fast. The track record was lower

the finishes close and exciting. The track was fast. The track record was lowered by Star Pointer in the free-for-all pace from 2.05 to 2.93. Hesulis:

Trotting, 2.96 class, purse \$1,900. Rose Turner won fourth, fifth and sixth heats. Best time 2.144. Satin Slipper won first and second heats and was second. Best time, 2.13. San Mateo won third heat in 2.153, and was third. Philonides, Fanny Holman, Ead Actor, Lynn Bourbon, Willow, Judge Rice, MacDuff, Minting, Julia, Russell Wood, Coulter and Bessie Wilkes also started.

Pacing 2.29 class, purse \$2,000. Heir-at-law won second, third and fourth heats. Time, 2.07, 2.003, 2.003, Royal Victor won first heat in 2.99 and was second. Bright Light third. Planet, Betty Riyln, Russle Clay and Sherman Clay also started.

Free-for-all pace, purse \$2,000. Star Pointer won in straight heats. Time, 2.33, 2.044, 2.0045. Frank Agan second in three heats. Robert J third. No others.

Trotting, 2.24 class, purse \$800. Woodford C won second, third and fourth heats. Rest time, 2.17. Royanna second: Nut Prince third. Temple Wilkes, Rand April Fool, Chatsworth, Henry W and Cellbatic also started.

Intercollegiate Teanis Tournament. very wet courts but two matches played this morning in the annual interollegiate tennis tournament. Following Doubles-Ware and Scudder of Harvard lefeated Goodbody and Terry of Williams, 6-4, 6-3. Singles—Dodge of Vale defeated Fosts of Harvard, 1-6, 6-2, 8-6.

Too Cold for Racing at Pierre. PIERRE, S. D., Oet. 7.—(Special Telecram.)—On account of bad weather the at tendance at today's meet of the Racing as sociation was very light and but two races were called, the 2:00 trot, won by Mattle Pattison, and the half mile running, won

Temple Cup Game Postponed. CLEVELAND, Oct. 7.—The management of the Temple cup base ball series announces that, owing to the extremely unfavorable weather which prevails, the game scheduled for today has been postponed until tomorrow.

ised to Nebraska. WASHINGTON, Oct. 7.- The forecast for Thursday is:

FORECAST OF TODAY'S WEATHER.

Por Nebraska, Kansas and South Dakoti Fair; warmer; south winds For Colorado and Wyoming-Generally fair; warmer; south to west winds. For Montana—Fair; west winds, cooler in western portion.
For Missouri and Iowa—Fair; warmer worth winds, shifting to south.

Local Record.

OFFICE OF THE WEATHER BUREAU OMAHA, Oct. 7.—Omaha record of tem-perature and rainfall compared with the curresponding day of the past three years Maximum temperature... Condition of temperature and precipita

xcess since March 1. Deficiency corresp'g period 1895, 8 6 inches Deficiency corresp'g period 1894, 13.81 inches Reports from Stations at S p. m.

T indicates trace of precipitation

L. A. WELSH, Observer.

We hear a great deal about purifying the blood. The way to purify it is to enrich it. Blood is not a simple fluid like water. It is made up of minute bodies and when these are deficient, the blood lacks the life-giving principle. Scott's Emulsion is not a mere blood purifier. It actually increases the number of the red corpuscles in the blood and changes unhealthy action into health.

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Children Cry for Pitcher's Castoria.



With a better understanding of the transient nature of the many phys-

ica! ills, which vanish before proper efforts-gentle efforts-pleasant effortsrightly directed. There is comfort in the knowledge, that so many forms of sickness are not due to any actual disease, but simply to a constipated condi-tion of the system, which the pleasant family laxative, Syrup of Figs. promptly removes. That is why it is the only remedy with millions of families, and is everywhere esteemed so highly by all who value good health. Its beneficial effects are due to the fact, that it is the one remedy which promotes internal cleanliness without debilitating the organs on which it acts. It is therefore all important, in order to get its beneficial effects, to note when you purchase, that you have the genuine arti-cle, which is manufactured by the California Fig Syrup Co. only and sold by all reputable druggists.

If in the enjoyment of good health, and the system is regular, laxatives or other remedies are then not needed. If afflicted with any actual disease, one may be commended to the most skiilful chysicians, but if in need of a laxative, ne should have the best, and with the well-informed everywhere, Syrup of Figs stands highest and is most largely as dandgives most general satisfaction.

> Searles & Searles.

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Fisher Denver Express 5.5 Official Color of the Color of Comana Union Depot, 18th & Mason Sts. | Omana Scopen Chicago Vestibule 8:00am 9:03am Chicago Express 4:15pm 7:50pm Chicago and St Louis Express 8:00am 11:40am Pacing Junetton Local 6:10pm Fast Mail 2:50pm 3:50pm Leaves CHICAGO & NORTHWEST N. Arrives Cmaha Union Depet, 18th & Mason Sts. Omnh 10.45arn Eastern Express
4.4fsm Vestibuled Limited
1.55pm St. Paul Express
2.45am St. Paul Limited
7.55am Carrell & Blook City Local
6.50pm Omaha Chicago Special
Missouri Vafley Local Leaves CHICAGO, K I. & PACIFIC Arrives Omaha Union Deput, 18th & Mason Siz. Omaha EAST.

WEST. Leaves C. ST P. al. & C. Arrives Omntial Depot 15th and Wenter Sta. Omnta 8:Ifam Sioux City Accommodation, 8:00pm B:30pm Sioux City Lights (a. Sun.) ... 11.55am 6:I5pm St. Paul Limited 9:10am Leaves F. E. & MO VALLEY, arrives
Omana Depot, Ein and Webster Sts. Omana
Stoom Fast Mull are Express. 5.00pm
Stoom (ex. Sat.) Wyo. Fx. (ex. Mon.) 5.00pm
1.20pm Froment Local (Sundays Only).
1.20pm Nortolk Express (ex. Sin.) 10,25am
6.10pm. St. Paul Express. 9.10am Comahn Union Depot, 16th & C. B. Arrives 9:05am ... Kansas City Day Everess 6:10pm 10:00pm K. C. Night Ex. via t. P. Trans. 6:30am Leaves MISSOURI PACTURE Arrives Omain Depot, 15th and Webster Sts. Omain

1 förm. Nebraska & Kansas Limited. 5:50:m. Kansas City Express. 5:60:m. Nebraska Local (ex. Sun.)... Leaves SIOUX CITY & PACIFIC. Omaha Depot, 15th and Webster Sta ... Et. Paul Limited ...

Omaha Union Depot, 18th & Mason Sts Omaha 9 30am Kesrney Express 2 Mans Overland Limited 3 January Heartee & Stomato B. Es. (ex. Sun.) 4 Mans Grand Island Express (ex. Sun.) 2 Julius Past Mail

Leaves WAHASH RAT WAY

Omaha Union Depot, 19th & Mason Sta